

AUG 18 2006

Modified Version of PTO/SB/21

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AUG 31 2006
P A T E N T S / T R A M P E L
S E C U R I T Y

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	Attorney Docket Number	S02-296/US
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ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Doc(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Corresp. Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Comm. to TC <input type="checkbox"/> Appeal Comm. to Board of Appeals and Interferences <input type="checkbox"/> Appeal Comm. to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other (Specified below)
Other:		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

FIRM NAME	LUMEN INTELLECTUAL PROPERTY SERVICES, Inc.		
SIGNATURE	<u>Ron Jacobs</u>		
PRINTED NAME	Ron Jacobs		
DATE	8/14/06	REGISTRATION NUMBER	50,142

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

SIGNATURE	<u>Abigail Capulong</u>
PRINTED NAME	Abigail Capulong
DATE	8/14/06

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.11 and 1.14.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



AUG 18 2006

Lumen IDS Transmittal

INFORMATION DISCLOSURE STATEMENT BY APPLICANT **IDS**

Sheet

1

of

2

Application Number	10/713565
Filing Date	11/13/2003
First Named Inventor	Harvey A. Fishman
Art Unit	1651
Examiner Name	Ford, Allison
Attorney Docket Number	S02-296/US

This is a submission of a completed IDS and copies of the pertinent parts of the references cited herein. It is requested that the document(s) on the enclosed form(s) be made of record in the above-identified application.

Part I Authority

This statement is filed pursuant to:

- 37 CFR 1.97(b). This IDS is filed either (1) within three months of the filing date of the national application; (2) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; (3) before the mailing date of a first office action on the merits, or (4) before the mailing of a first office action after the filing of an RCE under 37 CFR 1.114, whichever event occurs last. Accordingly, this IDS requires no fee and no certification.
- 37 CFR 1.97(c). This IDS is filed after the period specified in 37 CFR 1.97(b), but before the mailing date of either (1) a final office action under 37 CFR 1.113 or (2) a notice of allowance under 37 CFR 1.311. Accordingly, this IDS requires either the fee specified in 37 CFR 1.17(p) for submission of an IDS under 37 CFR 1.97(c), or a certification according to 37 CFR 1.97(e).
- 37 CFR 1.97(c). This IDS is filed after the period specified in 37 CFR 1.97(c). Accordingly, this IDS requires either the fee specified in 37 CFR 1.17(p) for submission of an IDS under 37 CFR 1.97(c), or a certification according to 37 CFR 1.97(e).

Conditional Petition

It is respectfully requested that this IDS be considered, good cause presented in Part III herein (certification). Please treat this paper as the required petition or as conditional petition to the extent required for acceptance of the IDS. If this IDS crosses in the mail with an office action, or is otherwise not in the indicated category of 37 CFR 1.97, it is respectfully requested that this IDS be treated in the next appropriate category and made of record.

Part II Payment

- No fee is due
- The fee specified in 37 CFR 1.17(p) for submission of an IDS under 37 CFR 1.97(c), (d) or (e) is enclosed.

Part III Certification

- Pursuant to 37 CFR 1.97(e), I certify that no certification is necessary.
- Pursuant to 37 CFR 1.97(e), I certify that each item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS.
- Pursuant to 37 CFR 1.97(e), I certify that no item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c), more than three months prior to the filing of the IDS.

Part IV Additional Statement

An additional statement regarding these items of information () is, () is not, enclosed. Copies of the cited documents () are enclosed, () are of record in the parent application with serial No. and will be provided if the Examiner deems it convenient.

Respectfully submitted,

Ron Jacobs	TELEPHONE	650-424-0100
8/14/06	REGISTRATION NUMBER	50,142

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>IDS</i>		Application Number	10/713565
		Filing Date	11/13/2003
		First Named Inventor	Harvey A. Fishman
		Art Unit	1651
		Examiner Name	Ford, Allison
Sheet 2 of 2	Attorney Docket Number		S02-296/US

US Patent Documents					
Examiner Initials	Cite No.	Document Number <i>Number/Kind Code</i>	Publication Date <i>mm-dd-yyyy</i>	Name	Relevant Information
	A	US- 4474751	10/2/84	Haslam et al.	
	B	US- 6692481	2/17/04	Guerrero	
		US-			

Foreign Patent Documents						
Examiner Initials	Cite No.	Document Number <i>Country/Number/Kind Code</i>	Publication Date <i>mm-dd-yyyy</i>	Name	Relevant Information	T

Examiner	Date Considered
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.11 and 1.14.

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